

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4300 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE R.A.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the judgement?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

1 to 5: No

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GUJARAT STATE ROAD TRANSPORT CORPORATION

Versus

DM GARASIA

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Appearance:

MR HARDIK C RAWAL for Petitioner

MR HK RATHOD for Respondent No. 1

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CORAM : MR.JUSTICE R.A.MEHTA

Date of decision: 19/03/98

ORAL JUDGEMENT

1. The ST Corporation is aggrieved by the judgment and award of reinstatement of a conductor without back wages. This petition was admitted on 8.9.1986 and rule was issued and ad-interim relief was granted on 8.9.1986.

2. However, one and half years before that date, in January 1985, the petitioner was already reinstated. Now,

by interferring with that order of reinstatement which has been passed and implemented 12 years back, no cause of justice can be served.

3. Even otherwise, the Labour Court has on consideration of all the aspects and facts of the case, held that the punishment of dismissal was extremely severe. The Labour Court has exercised discretion in granting reinstatement without back wages.

4. There is no case made out for any interference.  
Hence the petition is dismissed. Rule discharged.

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mhs/-